

Sixth Appellate District

San Jose, California

MONDAY, AUGUST 4, 2003

H025195 PEOPLE v. DANIEL S.

The orders appealed from are affirmed. (not published)  
(Wunderlich, J.; We concur: Elia, Acting P.J., Mihara, J.)  
Filed August 4, 2003

H022925 SAROSDY v. COLUMBIA/HCA HEALTHCARE CORP., et al.

The judgment is affirmed. (not published)  
(Wunderlich, J.; We concur: Premo, Acting P.J., Elia, J.)  
Filed August 4, 2003

TUESDAY, AUGUST 5, 2003

H023961 PEOPLE v. RAMIREZ

The judgment of conviction is vacated and the matter  
remanded for defendant to withdraw his plea of guilty. (not  
published)  
(Premo, Acting P.J.; We concur: Elia, J., Bamattre-Manoukian, J.)  
Filed August 5, 2003

H024522 LAMOTHE v. ON THE BEACH SURF SHOP, INC., et al.

The judgment is affirmed. (not published)  
(Premo, Acting P.J.; We concur: Bamattre-Manoukian, J.,  
Wunderlich, J.)  
Filed August 5, 2003

H024290 LOBAY v. CITY OF PACIFIC GROVE, et al.

The judgment is reversed. Each party to bear its own costs  
on appeal. (not published)  
(Elia, J.; We concur: Rushing, P.J., Premo, J.)  
Filed August 5, 2003

H024317 PEOPLE v. LEE, et al.

The judgment is affirmed. (not published)  
(Premo, J.; We concur: Rushing, P.J., Bamattre-Manoukian, J.)  
Filed August 5, 2003

H025176 Marriage of BEREZNAK & HEMINGER

By the Court\*:

Appellant's petition for rehearing and motion to augment are  
denied.

Filed: August 5, 2003

\*Before Rushing, P.J., and Elia, J.

Sixth Appellate District

San Jose, California

WEDNESDAY, AUGUST 6, 2003

H025550 PEOPLE v. AVALOS

The judgment is modified to reduce the restitution and parole revocation fines to \$200. As so modified, the judgment is affirmed. (not published)

(Premo, Acting P.J.; We concur: Elia, J., Bamattre-Manoukian, J.)  
Filed August 6, 2003

H024181 MARRIAGE OF VAN HORN; VAN KEULEN

The order on motion to quash is modified to strike the attorney fee sanctions of \$7,645. As so modified, the order is affirmed. Each party shall bear his or her own costs on appeal. (not published)

(Premo, Acting P.J.; We concur: Bamattre-Manoukian, J., Wunderlich, J.)  
Filed August 6, 2003

H022934 PEOPLE v. GOMEZ

By the Court\*:

Appellant's petition for rehearing is denied.

Filed: August 6, 2003

\*Before Rushing, P.J. and Wunderlich, J.

THURSDAY, AUGUST 7, 2003

H024627 NGUYEN-PLECQ v. NGUYEN

The judgment is modified to reflect that the parties "are the equal owners of 1364 Old Rose Place, San Jose, California, APN 245-03-044, with plaintiff owning one half interest and defendant owning one half interest," and that subdivisions (c) and (d) are deleted. In all other respects, the judgment is affirmed. Each party to bear her own costs on appeal. (not published)

(Mihara, J.; We concur: Rushing, P.J., Elia, J.)  
Filed August 7, 2003

H024083 PEOPLE v. LAWLER

The judgment is reversed and remanded to the trial court for resentencing in light of this opinion. (not published)

(Elia, J.; We concur: Premo, Acting P.J., Bamattre-Manoukian, J.)  
Filed August 7, 2003

Sixth Appellate District

San Jose, California

Thursday, August 7, 2003 (continued)

H023916 PEOPLE v. LYONS

The judgment is affirmed. (not published)  
(Bamattre-Manoukian, J.; We concur: Rushing, P.J., Premo, J.)  
Filed August 7, 2003

FRIDAY, AUGUST 8, 2003

H024003 PEOPLE v. GUZMAN

The judgment is reversed and the matter is remanded for  
resentencing in accordance with the provisions of the Act.  
(published)  
(Rushing, P.J.; We concur: Premo, J., Wunderlich, J.)  
Filed August 8, 2003

H022186 PEOPLE v. HUGHES

By the Court\*:

Appellant's petition for rehearing is denied.  
Filed: August 8, 2003  
\*Before Rushing, P.J. and Elia, J.

H024597 FOX v. GOOD SAMARITAN HOSPITAL

By the Court\*:

Appellant's petition for rehearing is denied.  
Filed: August 8, 2003  
\*Before Rushing, P.J., Elia, J. and Mihara, J.

H024526 PEOPLE v. MORGAN

Defendant's judgment is modified to reflect that defendant  
is entitled to 76 days of presentence conduct credit pursuant to  
Penal Code sections 4019 and 2933.1 in addition to the 501 actual  
days of presentence custody credit he received. The superior  
court is ordered to amend the abstract of judgment accordingly  
and to send a certified copy of the amended abstract of judgment  
to the Department of Corrections. As modified, the judgment is  
affirmed. (not published)  
(Mihara, J.; We concur: Rushing, P.J., Wunderlich, J.)  
Filed August 8, 2003